PRICE ONE CENT.

# BARNES CASE ONE CHANGES

Court Astonished by Sudden Poll After Verdict and Request That Costs of Suit Be Divided by Principals.

Justice Andrews Sends Panel Back to Deliberate Further Before Rendering Decision According to Law.

SYRACUSE, N. Y., May 21 .-An unparalleled court mix-up resulted today in an illegal verdict being returned in favor of Theodore Roosevelt in William Barnes' \$50,000 libel suit against the former President.

The jury filed into the courtroom at 11 o'clock. The foreman reported that a unanimous verdict had been reached in favor of Roosevelt, but that the costs of the parties.

The news was flashed all over the country by the operators who service in the United States navy and had been waiting for the verdict.

Then, to the astonishment of the courtroom, a few minutes later when the clerk called the roll, one juryman, Edward Burns, a Democrat, changed his vote and decided raise their boys to be "men and not against the former President. The other eleven voted for him.

Justice Andrews ruled then that the request of the jury that the expenses be divided and the division in the vote made the verdict illegal. He sent the twelve men back to for the President the cordial sympathy was for other purposes than the profit and assistance of all citizens regardless of the bank." deliberate further.

JURY STILL OUT.

At 1235 the Roosevelt-Barnes jury was still out. At that time Justice Andrews, who had been holding court in session, expecting immediate report, adjourned the court until 2 o'clock.

When the jury filed in at 11 o'clock and declared its verdict there was no commotion in the court room, though there was considerable suppressed excitement. Justice Andrews had warned spectators and lawyers that any sort of

made it unacceptable in a court of law. even in a civil case, as a unanimous (Continued on Page Eight.)

## TO EXPLAIN FAR EAST SITUATION TO WILSON

Ambassador Guthrie, Home From Japan, Will Confer With President Tonight.

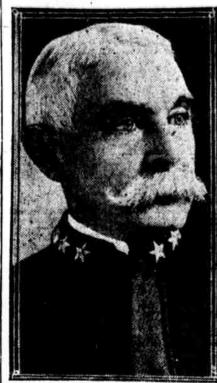
President Wilson will hear firsthand tonight the inside of the recent between Japan negotiations

At 8 o'clock he will receive at the White House George W. Guthrie. United States ambassador to Japan, who has just returned to this country on account of his wife's illness. Throughout the controversy Mr. Guthrie was kept informed of every move made by the Japanese govern-

He will tell the President, it is understood, that the Japanese government assured him throughout the period of diplomatic exchanges between Tokyo and Peking, that Japan was in no sense seeking to injure the rights of the United States or of any other third power in the Far East, and Chicken Thief Sent aimed merely to insure her right to

commercial expansion. Although the situation has been temporarily adjusted by China's ac-quiescence in many of Japan's de-mands, and the withdrawal by Japan others, there are evidences in unofficial dispatches from Peking that the Chinese people are far from satisfied with the basis of settlement. Guthrie is expected to return his post shortly.

Men, Not Mollycoddles, His Plea to Mothers



ADMIRAL COLBY M. CHESTER, Retired.

Admiral Chester Tells Arbitra-Otfen Preserves Peace.

MOHONK LAKE, N. Y., May 21. The Lake Mohonk Conference on Intercase be divided between the national Peace and Arbitration today listened to a stirring speech by Admiral Colby M. Chester, retlred, in which he related some incidents of his fifty years' declared that in at least two instances nothing but the mobilization of the navy prevented war-in 1874, with Spain, and insisted that the Riggs National Bank, "as a bank," had not engaged in short in 1892, with Chile.

in 1892, with Chile.

Admiral Chester ridiculed the cult which urges women to do away with tin boldiers in the nursery as an antidote to militariam, and urged mothers to to militarism, and urged mothers to mellycoddles.

of commerce of cities the country over, thing I wanted to convey was that the presented to the conference today resobank was charged with short-selling. lutions favoring the establishment of a permanent court of international jus-tice and an international police force to execute its decrees and urging national preparedness and the strengthening miltary and naval forces so as to protect

The business men's resolution bespeak

of section or party. Business Man Talks.

George Burnham, jr., of Philadelphia, director of the Baldwin locomotive works, discussed the world peace question from the standpoint of the business arguing a minor point about stock trans-

He said the world of business was always opposed to war and that the business men in Berlin were against war as long as it was an open question. The it is one of the most serious things I long as it was an open question. The sole question now was what the busi-ness men can do to prevent future

a demonstration would be idealt with severely.

The verdict returned by the jury, it was pointed out by lawyers, was made illegal by two things. The eleven to one division of the vote, they said, bert, of Denver. The platform, in accordance with the unbroken Mohonk rule, will state the

positions and principles upon which the conference is substantially united in

### Marconi Hurries At Call of His King

Drops Law Suit to Take Charge of Wireless System of Italy.

NEW YORK, May 21.—Saying, "My country wants me; I must go," William Marconi, the wireless inventor, abruptly left the United States District Court here today to sail for Italy. Marconi has been here for several weeks suing the Atlantic Communication Communication. the Atlantic Communication Company, the American branch of the Telefunken system of Germany, for alleged in-fringement of patent rights. At noon fringement of patent rights. At noon today he received messages from the ambassador and King to return to his latherland to take charge of the entire wireless system. He will sail tomorrow morning on the steamer Stampalla for

Naples. inventor was on the stand throughout the morning and was being throughout the morning and was being cross-examined when the messages reached him. He asked Judse Van Vechten Veeder for permission to read the missives, and upon doing so set his

jaws firmly and said:
Your Honor, I want to be excused.
I have received a message to return to
my fatherland. I must leave immediate-

He was warned that his going may be at the cost of his losing away case, but he said he was determined to answer the call and could not remain under any circumstances.

### To Prison for Life

ALEXANDRIA, May 21.-John Wilson, alias "Sick Boy," colored, will have to spend the remainder of his life behind the walls of the State peni-Wilson was convicted yesterday in the circuit court of stealing chickens, and as this is his third offense he will have to serve a life senionce.

Controversy Halts Arguments as · Justice McCoy Indicates Desire to Go Deeper.

ECHO OF THE JOHNSON CASE

Attorney Untermyer Charges At tempt at "Gross Imposition Upon the Court."

Conflicting affidavits, regarding the alleged stock dealing transactions between the Riggs National Bank and the now defunct firm of Lewis Johnson & argument, and resulted in controversy between opposing counsel when Justice McCoy resumed today the hearing of the suit of the bank against Secretary of the Treasury McAdoo, Comptroller of the Currency Williams, and Treasurer Burke.

Samuel Untermyer, of Government counsel, told the court that he regarded an affidavit filed yesterday by Messrs. Glover, Flather, and Flather, officers of the bank, disavowing knowledge of entries on Johnson & Co.'s books, as "a tion Conference Mobilization gross imposition upon the court, if not

Affidavits Filed.

Prior to this, Mr. Untermyer had filed reply affidavit, signed by W. Morris defunct brokerage firm, in which Lammond testified that for a number of years he had been familiar with an ac count on the firm's books showing stock and bond transactions between allies the firm and the Riggs National Bank Justice McCoy indicated that he would go fully into these affidavits later. Attorney Hogan, of the bank's coun sel, again informed the court that he

books which related to the Riggs Bank. "If I have conveyed the wrong im-

of a and that such a charge was false. Meaning of Affidavit.

"Then the affidavit should have said. suggested Jastice McCoy, gravely, "that while it might be true that such an account was on the books of the firm. It

Hogan would not attempt to mislead the court. He showed a disposition to look further into the apparent conflict between the affidavits and the misunderstanding as to their meaning action commissions, Mr. Untermyer in-

long as it was an open question. The sole question now was what the business men can do to prevent future wars.

The conference will hold its final session this evening and adopt a platform, which is being drawn by Dr. Elmer Ellsworth Brown, former Gov. Simeon

(Continued on Page Eight.)

## FOUR YOUNGSTERS HAVE CLOSE CAL

Mother Finds Children Unconscious From Gas, But They Are Revived.

Four children of Mr. and Mrs. William J. Long, 777 Harvard street northwest had a narrow escape from asphyxiation by carbon monoxide gas today, all of them being unconscious when found in the basement by their mother.

A hurry call was sent to the Emergency Hospital, and after working over the little patients with restoratives, Dr. H. C. Neblett succeeded in reviving them, and they are expected to recover. The children were John Long, five years old: Margaret, four; Katherine, three, and Marian, not quite two. The gas which so nearly cost the lives of the four children was generated in a water heater in the basement. Mrs. Long was upstairs and the children were playing in the basement. Shortly after 10 o'clock Mrs. Long called to John, and getting no reply went to in-

She found all four lying on the floor apparently asleep, and her efforts to arouse them were futile. She could detect no odor of gas, but guessing what the trouble was she carried them up-stairs and called in her neighbors, who telephoned to the Emergency Hospital. When Dr. Neblett arrived in the am-bulance he found the children still unconscious, but the pulse of each war beating feebly. In half an hour he had all of them awake, but weak from their experience. They were left in their

vestigate.

The father of the children is employed as a chauffour at the British embassi He was notified at once of the mishap, and hurried home. The heater which caused the trouble is of the type that has been respons bl for many deaths in the District, the latest victim being Policeman William M. Hunt, of the Third precinct.

### Thaw to Continue Handball in Jail WALSH

Will Remain With Members of "Alimony Club" In Ludlow Street a Month.

NEW YORK, May 21.-Harry K. Thaw will continue to play hand ball with members of the "alimony club," in the Ludlow street jail for at least month. By agreement of attorneys hi sanity trial was today put over until the court of appeals rules on a lower court decision, granting Thaw a jury to pass on his mental condition.

Attorney General Woodbury planned to go before an intermediary court today to ask that Thaw's victory in the lower court be set aside. Thaw's atmatter taken directly to the court of ap-peals. Thaw, in the meantime, will not be compelled to return to the Tombs.

Gerard Says Germany Desires Diminution in Munitions Traffic With the Allies.

bassador Gerard, at Berlin indicating the contents of the preliminary draft of Germany's reply to President Wilson, were discussed at length at today's meeting of the Cabinet.

the Imperial German Government, which women and children in the Colorado will be sident Wilson regarding respect for official investigations of these horrors, American lives and property on the high seas, the dispatches it is stated, were of such character as to warn the Cabi-Lammond, former bookkeeper for the net that Germany will make counter- tions, but he did not lose his temper. proposals to bring about a diminution in the traffic in war supplies

Allies Dependent On U. S. Mr. Gerard, it is stated, has made it

plain that the German government is greatly concerned over the fact that the allies are practically dependant on the Un'ted States, not only for the great bulk of their war munitions, but for those which have been most deadly and ef-fective in their campaign. The Katser's military advisers have convinced them selves that but for the service which American manufacturers of ammunition have performed for Germany's enemies.

German arms would long ago have brought the allies to terms.

These views, Mr. Gerard is said to have reported, have been frankly communicated to him by officials of the German foreign office in their effort to impress upon him the fact that if Germany abandoned her submerity warface actions of the communication of the submerity warface actions of the submerity marine warfare against all merchant ships without some guarantee from the United States that the traffic would be restricted, she would be practically surrendering herself to

To Be Vised By Kaiser.

For this reason, Mr. Gerard is believed to have indicated, Germany, in the preliminary draft of her reply. has offered to respect all vessels leaving United States ports for the war zone which bear certificates that they do not carry contraband.

This preliminary draft, Mr. Gerard has reported, will not be reduced to final form until it has been gone over by the Kaiser, who is on his way to Berlin from the scene of the recent Austro-German successes in Gallein. Secretary Bryan also submitted to the Cabinet the memorandum issued vesterday in London by the British forcign office explaining the position of the British government toward American shirs and American cargoes in neutral ships, detained in English ports under orders in council governing the British embargo against Germany.

against Germany. Overruled By President.

these detentions before Germany replies on the Lusitania affair, in order that Berlin might see clearly that the United States is playing no favorites in her efforts to protect American "No; you have described it," Rocke-He is said to have been overruled by

the President, backed by other mem-bers of the Cabinet, on the ground that the Administration should concern itself with one complaint at a time.

The British memorandum, while be-lieved to refute completely the statements which have been made regarding slieged unjust detention of Ameri-can ships, is not thought by some officials here to meet the principle upon which the United States has a right to complain against the delays in the prize court proceedings against Amerlcan shipments on other neutral vessels. Some satisfaction is expressed, hew-ever, over the fact that Great Britain seems now doubly auxious to expedite these matters and has offered to do so just as soon as the American shippers have supplied the necessary papers in evidence

### Four "R's" on Front Pages Everywhere

The R's came into their own today.

Instead of the famous three R's readin', 'ritin', and 'rithemetic-we have with us on the front page of practically every newspaper in the United States the four R's-Rome, Rockefeller, Roosevelt, and Riggs.

These four R's are the big news stories of the day, and consequently occupy the most prominent positions in most newspapers.

# JOHN D.,JR.,FOR

Chairman of Industrial Relations Committee Intimates He Upheld Mine Men.

MAGNATE ENTERS PROTEST

Mrs. J. Borden Harriman and Commissioner Weinstock Said to Back Him.

For nearly three hours today John D. Rockefeller, jr., was lashed unmercifully by Chairman Walsh, of the Federal Commission on Industrial Relations, in the final inquiry by that body into the activities of the Rockefeller coal interests during the Colo rado strike last year.

in biting questions Chairman Walsh inferentially accused Rockefeller of upholding the executive officers of In waging armed war on helpless Three Hundred Thousand Troops on a volcano of excitement. tent colonies, and of closing his eyes on all the facts brought about through

Keeps His Temper.

Rockefeller's face flushed and his eyes blazed as he replied to these ques-He objected, however, on the grounds of unfnirness because he was not permitted to qualify his replies as other witnesses had been.

Chairman Walsh's rushing tactics in questioning Rockefeller brought the investigation to an abrupt hait at the opening of the session, and an executive session was held by the commis-

Mrs. J. Borden Harriman and Commissioner Weinstock are said to have objected to the hammer-and-tongs manner in which Rockefeller was being

session was resumed and Chairman Valsh said the "Mr. Rocketeller would be accorded every consideration."

The first question fired at him, however, showed that Mr. Walsh did not propose to change his manner of questioning Rocketeller. tioning Rockefeller.

Ludlow Disaster.

most bitter criticism from Chairman Walsh came when he was abandon their positions north of the questioning Rockefeller about the Ludlow mine disaster. He read from be a statement issued some time ago in which Rockefeller said "the persons who lost their lives at Ludlow were not shot, but smothered.

"Did you read the evidence at the cofoner's inquest over the Ludlow disaster?" Chairman Walsh asked. When Rockefeller replied in the neg-ative Walsh asked him if he did no feel it a duty to determine the to learn the train of events that lead to the massacre.
"I have such knowledge of the ac tions of the executives to give them my entire confidence," Rockefeller re-

"Close Your Eyes."

"Yes," Walsh continued, "you only dence of the coroner's inquest. You close your eyes to the other outrages. You sit in your offices in New York and say 'I uphold these executives.' "Now for your information," Mr. Walsh continued, "I will tell you that all these people were not smothered. Mr. Bryan is generally understood to ceived from a woman in Trinidad have urged that the Administration file whose little boy was shot and killed, a protest with Great Britain regarding 'while caressing his sister' as his

feller answered.

Reads Telegram.

Walsh read a telegram from L. M. Bowers, vice president of the Colorado Fuel and Iron Company, in which he told Rockefeller five days perore the Ludlow disaster of the arming of more than 120 volunteers at Trinidad, who were to be paid by the Rockefeller company.
"Do you know," Walsh asked, "that this is the troop that not only shot into the camp at Ludlow, but looted the bodies and set fire with the before the Ludlow disaster of the "That's the report," Rockefeller

said.
"Do you uphold these acts?"
"I don't uphold any acts of vio-lence," Rockefeller replied with heat.
"Yet, you say that you uphold every act of your executives, and your executives employed these gun-men," Walsh persisted.

Moral Responsibility.

"Don't you feel a moral responsibility for those actions?" Walsh added. "I would feel a greater moral responsibility if the executive off cers had not done everything in their power to pre-serve lif and proprty," was Rockefeller's

Rockefeller hear a prepared statement in opening his testimony, in which he explained why h would not interpose his aid toward obtaining a new trial for John R. Lawson, the mine workers' of-ficial recently given a life sentence in An appeal is pending before the source, and he had no right to attempt

to influence the court of justice, the witness said.

Walsh had told the witness that evidence adduced by the commission showed that one juror in the Lawson case had an exclusive contract to sell goods to the Colorado Fuel and Iron Company. and that witnesses who convicted Law son were paid detectives in Rockefeller's employ.

Evidence that coal prices had been in-

creased \$150 a ton in Denver in Novem-ber, 1914, and that check weighmen had (Continued on Page Eight.)

### Rockefeller's Inquisitor At Industrial Hearing



FRANK P. WALSH.

Locked in Great Battle to Decide Fortress' Fate.

dred thousand troops are locked in a great battle north of Jaroslau that may mysl, won by the Russians after the most noted siege of the war.

the Austro-German left wing has thrown a small body of troops across slau. The crossing was forced near losses. Russian counter attacks have After a delay of fifteen munutes the hurled the enemy back to the bank

Peremysl began. The Germans swept the plain south of Sieniava with a con tinuous fire that forced the Russians to Lubaczovka and retire to the south bank, where they are successfully resisting all attempts by the Austro-Ger

### mans to make further advance Anglo-French Fleet Opens Terrific Fire Upon Smyrna's Forts

LONDON, May 21.-Anglo-French war ships have appeared off Smyrna and commenced a terrific bombardment of the fort there. Dispatches from Chilos today report the bombardment of other Turkish towns along the Asia Minor

Re-enforced by French detachments take their word. You close your eyes to the crimes at Ludlow and the evithe Southern and of Gallipoli pninsula.

### Reported Fall of Riga Discredited in London

LONDON, May 21.-Private dispatches from Stockholm, reporting that the Germans have captured the great Rus-sian Baltic seaport of Riga, were without confirmation from any other source early today.
In official circles the report was generally discredited.

## DRIVE UPON LILLE IS RENEWED BY BRITISH

Battle Around Ypres and Arras. Halted by Storm, Resumed With Fierce Fighting.

PARIS. May 21.-The great battle around Ypres and Arras, halted by a three-days' rainstorm, has been renewed with desperate fighting along the Yser

The British have resumed their for ward movement toward Lille. In a hot engagement near Neuve Chapelle, they advanced slightly in the direction of The Germans braved a steady machine

gun fire and drove the allied troops out of their advanced trenches north of Ypres. The war office admitted this temporary setback in an official state ment this afternoon, but declared the allies counterattacked and drove the enemy out of the captured ground. ward night the allies took the offensis

### **British Prize Court** Upholds Ophelia Seizure

LONDON, May 21 - The British prize court today held that the capture of the German steamer Ophelia last October was in accordance with the principles of international law, declarin that the early today.

Ophelia was masquerading as a hospital ship, while in reality being used governments, they are; sking final arof international law, declarin that the for scouting purposes.

## **AUSTRIA**; MOBS CRY FOR BLOOD

Rome in Wild Frenzy as Rumors Battles—Crowds Await Cabinet's Declaration of War.

Greek Steamer, With Rice for Germany, Seized at Naples. Whereabouts of Italy's Fleet a Mystery.

ROME, May 21.-Armed with power to declare war immediately, the Italian cabinet was summoned into session at an unusually early hour today while the nation rested

Austria has begun interning all Italian males between the ages of seventeen and sixty, according to reports received here. Fifty thousand Italians in the country around Barbariga, Dignano, and Marzana, in the Trieste region, today were placed aboard trains bound for concentration camps in Carniola and Croatia, according to advices received here. Leading Italians in Pola have been arrested and others

terrorized by Austrian mobs. An ultimatum may be sent to Austria by the ministry before night. It is understood the cabinet vill take decisive action as soon the senate adjourns this afternoon.

Wild rumors that hostilities already had begun, that the Italian and Austrian forces had clashed along the border, and that the Italian fleet had sailed with orders to engage the Austrian naval forces, kept Rome feverishly expectant throughout the night.

A report from Naples says the Italian authorities today seized a Greek steamer carrying a cargo of 2,000 tons of rice and bound for

It is reported a war council will be held tonight.

Until daybreak today a crowd of 200,000, aflame with the war spirit, surged through the streets, bearing aloft the flags of Italy, France, England, Russia, Serbia, Montenegro, and Japan.

### SONNINO ARRIVES.

Baron Sonnino, the foreign minister, was the first to arrive at the government offices. A few minutes later a big imousine bearing Premier Salandra and his secretary pressed through the

crowd. Carbinieri formed a lane through great throng that closed in about the premier, shouting "Long live Salandra!" Before night the decision of the gove ernment may be known. One report was that it would be an ultimatum fixing a time limit of forty-eight hours in which Austria may give final answer to the Italian demands. Another forecast was that the government would declare war without further recourse to diplomacy. Military circles were ex-

pecting an order to begin hostilities within twenty-four hours,

Fleet's Position Secret. The whereabouts of the Italian flee in the Adriatic is a deep mystery. Though great bodies of troops are known to have been massed along the Goritz frontier and along the border of Tyrol, the government has for weeks ermitted not the slightest hint regard ing the location of the naval forces to leak out.

report telegraphed here from Venice that an Italian torpedo boat stopped the Austrian steamer Cosulich when it tried to leave port last night, was passed by the censor, but is with

out official confirmation.

The captain of the Cosulich was sale to have been placed under arrest and a contraband cargo confiscated. It is known that torpedo boats are guarding the harbors at Venice and Genoa to prevent interned German ships from putting out to see

### putting out to sea. Envoys Still There.

The German ambassador, Prince von Ruelow, and the Austrian special envoy, von Macchio, have not yet left Rome, it was stated at their embassics

rangements for the protection of their